STATUTORY CONSTRUCTION, § 367, cites many cases to support the statement: There is no safer or better settled canon of interpretation than where language is clear and unambiguous it must be held to mean what it clearly expresses.

INTOXICATING LIQUORS—SALE—LICENSE—EFFECT OF BANKRUPTCY OF LICENSEE.—Defendant at bankrupt sale of one L., a retail liquor dealer, purchased his stock of goods and then resold the same to L., taking in payment L.'s personal note and a mortgage on the stock as security therefor. A written agreement was entered into whereby until the whole purchase price should be paid, defendant should act as manager of the property. On appeal from conviction under an indictment for retailing liquor without a license, *held*, the bankruptcy of a liquor licensee does not cancel his privilege to sell under the license subsequent to adjudication of bankruptcy. From the entire transaction defendant was in effect an employe of the licensee to conduct the business until the purchase price was paid and therefore was under the protection of the license. *Barnard* v. *State*, (1909), — Ala. —, 48 South. 483.

Where the assignment of a liquor license is permitted by statute the licensee has such property rights in the license as will pass it as an asset to the trustee in bankruptcy. *In re May*, 5 Am. B. R. 1; *In re Brodline*, 93 Fed. 643; *In re Fisher*, 98 Fed. 89. The license is not assignable in the absence of statutory authority. *State* v. *McNeely*, 60 N. C. 232; *In re Blumenthal*, 125 Pa. St. 412, 18 Atl. 395. In Alabama a license to retail liquors is a personal permit merely. *Powell's Case*, 69 Ala. 10. It is therefore not an asset subject to the demands of creditors and cannot afford protection to another than the licensee or his representative in the conduct of a retailing business. 23 CYC. 155. In the above case the title to the license still being in L. after adjudication in bankruptcy, by the repurchase of stock from defendant, L. became principal owner and defendant acting as his agent was entitled to the protection of the license.

JUDGMENT—ENTRY ON SUNDAY—EFFECT.—On appeal from a judgment it was pleaded that the appeal was prematurely taken for the reason that the judgment had not been entered of record until after the appeal was perfected. Then motion was made to ascertain the time when the judgment was entered of record. It was found that the time could not be determined with certainty, but that it was not before October 1, 1905; thereupon the court corrected the record to show October 1, 1905, as the date that the judgment was entered of record, and the appeal was dismissed as being prematurely taken. Then appellant raised the question that October 1, 1905, fell upon Sunday, and contended that the judgment was therefore void. *Held*, that while, under the Iowa practice, an appeal cannot be perfected until the judgment has been entered of record, still the entering of the judgment is merely a ministerial, and not a judicial act, and would not avoid the judgment even if the entry was made on Sunday. *Puckett* v. *Guenther*, (1909), — Ia. —, 120 N. W. 123.

It is true that a judgment rendered on Sunday was void at common law. *Blood* v. *Bates*, 31 Vt. 147; *Arthur* v. *Mosby*, 5 Ky. (2 Bibb) 589; *Hoghtaling* v. *Osborn*, 15 Johns. (N. Y.) 118. Yet we think that the court is correct in the distinction that is pointed out between the rendering, and the entering of the judgment, and in the statement made that the former is a judicial, and the latter a ministerial act. *Kayser* v. *Hall*, 85 Ill. 511; *Lee* v. *Carrollton Savings and Loan Assn.*, 58 Md. 301; *Butts* v. *Armor*, 164 Pa. St. 73, 30 Atl. 357; ROOD, ATTACHMENTS, GARNISHMENTS, JUDGMENTS AND EXECUTIONS, §§ 12 and 13. It does not seem just that a judgment should be avoided and that a party should lose his rights on account of an act of the clerk, not judicial in its nature, and over which the parties to the action had no control. Other ministerial acts done on Sunday are held to be valid. *Nixon* v. *Burlington*, — Ia. —, 115 N. W. 239; *Heisen* v. *Smith*, 138 Cal. 216, 71 Pac. 180; *Savings and Loan Society* v. *Thompson*, 32 Cal. 347. Hence the entering of a judgment upon the record on Sunday should not make the judgment void.

JUDGMENT—OBTAINED BY FRAUD—DIRECT OR COLLATERAL ATTACK.—Plaintiff brought action against defendants to recover for personal injuries. Defendants pleaded in bar to plaintiff's right of action a judgment obtained by plaintiff in a justice court, which judgment defendants had fully satisfied. Plaintiff replied that this judgment was obtained by fraud. *Held*, that under the present North Carolina practice, "where courts are empowered to administer full relief in one and the same action, when all of the parties to be affected by the decree are before the court, and a judgment is set up in bar and directly assailed in the proceeding for fraud, this is a direct and proper proceeding to determine its validity." *Houser* v. *W. R. Bonsal & Co.* (1908), — N. C. —, 62 S. E. 776.

The court in this case holds, citing authorities, that the judgment of the justice court could not be impeached except by direct attack, but is of the opinion that the attack here is a direct attack. We think this view erroneous as the terms direct and collateral attack are ordinarily used. In *Crawford* v. *McDonald*, 88 Tex. 626, 33 S. W. 325, 327, DENMAN, J., defines a direct attack on a judgment as "an attempt to amend, correct, reform, vacate, or enjoin the execution of same in a proceeding instituted for that purpose." On the other hand, "A collateral attack on a judgment is any proceeding which is not instituted for the express purpose of annulling, correcting, or modifying such decree or enjoining its execution." *Morrill* v. *Morrill*, 20 Or. 96, 25 Pac. 362, 11 L. R. A. (O. S.) 155, 23 Am. St. Rep. 95. See also *Smith* v. *Morrill*, 55 Pac. 824, 826, 12 Colo. App. 233. In the principal case the plaintiff did not seek, when he filed his complaint, to annul, correct, or modify the judgment of the justice court, or to enjoin its execution; the complaint ignored that judgment, and it was only collaterally that it was drawn in question. If there was fraud in procuring the judgment in the justice court the plaintiff should have raised the question in that court, and prevented the rendering of the judgment. Having failed to